

# EXHIBIT Q

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA  
ERIE DIVISION

UNITED STATES OF AMERICA, ex rel. )  
DILBAGH SINGH, M.D., PAUL KIRSCH, )  
M.D., V. RAO NADELLA, M.D., and )  
MARTIN JACOBS, M.D., )

Relators, )

vs. )

Civil Action  
No. 04-186E

BRADFORD REGIONAL MEDICAL CENTER, )  
V&S MEDICAL ASSOCIATES, LLC, )  
PETER VACCARO, M.D., KAMRAN SALEH, )  
M.D., and DOES I through XX, )

Defendants. )

DEPOSITION OF PAUL B. KIRSCH, M.D.

MONDAY, AUGUST 20, 2007

Deposition of PAUL B. KIRSCH, M.D., called as a  
witness by the Defendant Bradford Regional Medical  
Center, taken pursuant to Notice of Deposition and the  
Federal Rules of Civil Procedure, by and before Joy A.  
Hartman, a Court Reporter and Notary Public in and for  
the Commonwealth of Pennsylvania, at the offices of  
Stone Law Firm, 1400 Allegheny Building, Pittsburgh,  
Pennsylvania, commencing at 2:50 p.m. on the day and  
date above set forth.

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1 I am asking him regarding the options  
2 available to him and the decisions that he was  
3 able to make historically from the standpoint  
4 in 2003 where he referred patients for nuclear  
5 camera testing, and I think it is relevant.

6 But --

7 MR. STONE: I'm going to instruct him not  
8 to answer with regard to other facilities.

9 MR. RYCHCIK: Again, if we could note this  
10 page, as well.

11 (Question certified for later discussion.)

12 Q. I may have asked you this: Do you recall when  
13 the last conversation you had with Dr. Horsley was  
14 regarding the sublease or anything related to a  
15 potential arrangement between BRMC and V&S?

16 A. To my recollection, I never discussed the  
17 sublease with him. Once I got a copy of the sublease  
18 and once we decided to turn it over to our attorneys,  
19 I had no further communication with him or any other  
20 physician regarding the information in there.

21 Q. Do you have any knowledge of any specific false  
22 or fraudulent patient claims made by V&S or Drs.  
23 Vaccaro and Saleh?

1 A. No.

2 Q. Prior to filing the Complaint, did you have any  
3 evidence of any specific false or fraudulent patient  
4 claims filed by any of the defendants?

5 A. No.

6 Q. Prior to filing the Complaint, did you have any  
7 evidence of any specific false or fraudulent hospital  
8 cost reports that were submitted?

9 A. No.

10 Q. Prior to filing your complaint, did you review  
11 hospital cost reports prepared by BRMC?

12 A. No.

13 Q. In the course of your practice, in all the  
14 years you have practiced, have you reviewed any BRMC  
15 hospital cost reports?

16 A. Meaning reports they have submitted to  
17 Medicare, Medicaid, or CHAMPUS?

18 Q. Yes.

19 A. I have not.

20 Q. Have you participated in the preparation of any  
21 hospital cost reports by BRMC to Medicare, Medicaid,  
22 TRICARE/CHAMPUS?

23 A. No.

1 Q. Are you familiar with the contents of those  
2 hospital cost reports?

3 A. I am not.

4 Q. Are you familiar with any certifications that  
5 those hospital cost reports may contain?

6 A. No.

7 Q. Would you agree at the time that you filed your  
8 Complaint, you and your fellow Relators did not have  
9 copies of any hospital cost reports that had been  
10 submitted by Bradford Regional Medical Center to  
11 Medicare, Medicaid, or TRICARE/CHAMPUS?

12 MR. STONE: I'm going to object to the  
13 extent that I think he can only answer with  
14 regard to his own knowledge.

15 Q. Did you have possession of any hospital cost  
16 reports?

17 A. No, I did not.

18 Q. Are you aware of any of your fellow Relators  
19 having any?

20 A. No, I am not aware.

21 Q. Are you aware of any claims for services  
22 provided by Drs. Vaccaro and Saleh or V&S which were  
23 not medically necessary and that were submitted to

1 Medicare, Medicaid, or TRICARE/CHAMPUS?

2 A. No, I would have no way of knowing.

3 Q. Are you aware of any claims submitted by Drs.  
4 Vaccaro and Saleh or V&S Medical Associates to  
5 Medicare, Medicaid, or TRICARE/CHAMPUS for services  
6 that were not actually provided by them?

7 A. Again, I have no way of knowing.

8 Q. Other than matters relating to the sublease  
9 agreement between V&S and BRMC, do you have any  
10 knowledge of any illegal transactions involving Drs.  
11 Vaccaro, Saleh or V&S Medical Associates?

12 A. No, I do not.

13 Q. Dr. Nadella testified regarding a lease that he  
14 had a copy of which was a V&S lease, between V&S and  
15 GE Healthcare Financial. Do you recall that  
16 testimony?

17 A. Yes.

18 Q. Did you obtain a copy of the lease between V&S  
19 and GE Healthcare Financial at any point in time?

20 A. Did I obtain? I don't know what you mean by  
21 "obtain."

22 Q. Did you receive a copy of it?

23 A. Yes, I did.

## C E R T I F I C A T E

COMMONWEALTH OF PENNSYLVANIA :  
: SS.:  
COUNTY OF ALLEGHENY :

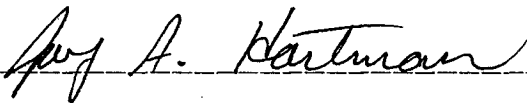
I, Joy A. Hartman, a Notary Public in and for the Commonwealth of Pennsylvania, do hereby certify that before me personally appeared PAUL B. KIRSCH, M.D., the witness herein, who then was by me first duly cautioned and sworn to testify the truth, the whole truth and nothing but the truth in the taking of his oral deposition in the cause aforesaid; that the testimony then given by him as above set forth was reduced to stenotypy by me, in the presence of said witness, and afterwards transcribed by computer-aided transcription under my direction.

I do further certify that this deposition was taken at the time and place specified in the foregoing caption, and signature was not waived.

I do further certify that I am not a relative of or counsel or attorney for any party hereto, nor am I otherwise interested in the event of this action.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Pittsburgh, Pennsylvania, on this 23rd day of August, 2007.

The foregoing certification does not apply to any reproduction of this transcript in any respect unless under the direct control and/or direction of the certifying reporter.



Joy A. Hartman, Notary Public  
in and for the Commonwealth of  
Pennsylvania

My commission expires May 9, 2010.

